

REMARKS

The Examiner, Ms. Bena Miller, is thanked for the courtesies extended during the telephonic interview conducted on March 23, 2004, and for furthering the prosecution of the present application. During the interview, claim 1 and U.S. Patent No. 4,978,301 to *Dodge* were discussed. A block diagram to illustrate the first and second positions described in the claimed invention was also provided for the Examiner's reference. The following remarks reiterate the substance of the telephonic interview. Claims 1-6, and 8-11 are pending. Reconsideration of the application is respectfully requested.

Claims 1-6, and 8-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,978,301 to *Dodge* in view of U.S. Patent No. 5,330,379 to *Roh* et al. Applicant respectfully submits that all claims of record distinguish over the cited references.

Claim 1 includes the limitations, "a fold-away flap integrally formed with and extending from each of said panels, said fold-away flap being hingedly movable between a first position having an exposed surface and a second, secure position that conceals said exposed surface, hook strips positioned on said exposed surface; wherein one of said panels attaches to another of said panels by use of said hook strips when said flap is in said first position to create the movable hinge, and wherein said flap of said one panel secures to that same panel when the flap is in the second position to create a rigid attachment therebetween."

U.S. Patent No. 4,978,301 to *Dodge* relates to a set of construction pieces, wherein each construction piece has opposed major sides which are distinctively related in at least one and preferably two or more respects (see col. 2, lines 12-15). U.S. Patent No. 5,330,379 to *Roh* et al. relates to a toy that can be stored as a sofa having a bench, a backrest and a headrest that can be taken apart to build

structures large enough for a child to crawl through or play in (see *Abs.*). However, the combination of the *Dodge* and *Roh* et al. patent fails to disclose, *inter alia*, “hook strips positioned on said exposed surface; wherein one of said panels attaches to another of said panels by use of said hook strips when said flap is in said first position to create the movable hinge, and wherein said flap of said one panel secures to that same panel when the flap is in the second position to create a rigid attachment therebetween,” as set forth in claim 1 as presently amended.

Set forth on page 3 of the Office Action, in response to the assertion that *Dodge* fails to teach the above limitation, is the statement that:

Dodge teaches in col. 3, lines 39-47 construction piece 12-20 and connector strip 22 has on one side loop pile fastener material and on the opposite side hook fastener material. The connector strips 22 act as bandage in connecting the other piece together. Further the construction pieces are adhered mechanically when pressed together. Although Dodges teaches the structures are self-supporting without being rigid, however, dodge does teach that the construction pieces and connector strips are semi-rigid. (See page 4 of the Office Action)

With respect to the foregoing, Applicant respectfully asserts that the combination of the *Dodge* and *Roh et al.* patents fails to achieve the claimed invention. Specifically, with reference to the attached block diagram that illustrates the claimed configuration, flap 1 is shown in the claimed first position. As shown in the diagram, each panel has an A and a B side, i.e., an upper and a lower side. In the first position, the upper surface (A) and lower surface (B) of the panels are aligned, e.g., an A/A and B/B configuration. With further reference to the enclosed block diagram, flap 1 is folded upward such that it is attached to the PANEL. This configuration creates the movable hinge, as set forth in claim 1.

To create the rigid attachment, i.e., a rigid attachment between the two panels, the PANEL must be rotated by 180° (i.e., flipped over) to permit attachment of the flaps to each panel.

Here, i.e., the second position, the upper surface (A) and lower surface (B) of the panels are misaligned with each other, i.e., an A/B and B/A configuration. This configuration creates the rigid attachment between the panels.

In sum, *Dodge* and *Roh et al.*, whether considered individually or in combination, fail to teach, the claimed configuration, i.e., *inter alia*, “hook strips positioned on said exposed surface; wherein one of said panels attaches to another of said panels by use of said hook strips when said flap is in said first position to create a movable hinge, and wherein said flap of said one panel secures to that same panel when the flap is in the second position to create a rigid attachment therebetween” as set forth in claim 1. For the foregoing reasons, Applicant submits that the invention defined by the pending claims are patentable over the cited references. Accordingly, reconsideration and withdrawal of the all the rejections are respectfully requested.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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